

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
03/21/2001

03/14/2001

CLERK OF THE COURT
FORM R105B

JUDGE PRO TEM ELIZABETH ARRIOLA
FOR HONORABLE JAMES H. KEPPEL

C. Kelly
Deputy

CR 2000-094270

FILED: _____

STATE OF ARIZONA

LEE M HOLTRY

v.

KEVIN R DUNPHY

LYNN B MOORE

APO-PLEAS-SE
JUDGE GAYLORD
VICTIM WITNESS DIV-CA-SE

PLEA AGREEMENT/CHANGE OF PLEA

11:05 a.m. State is represented by the above-named counsel.
Defendant is present and represented by the above-named counsel.

Court Reporter, Laurie Yazwa, is present.

Executed Plea Agreement is presented to the Court and
reviewed with Defendant. Defendant states true name is as noted
in the agreement.

The Court advises the Defendant as to the range of possible
sentences for the offense, including whether or not probation is
available and any other conditions imposed by statute, including
special requirements for probation, if available. The Court
further advises the Defendant as to all constitutional rights
waived by the Plea Agreement.

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The Court further advises the Defendant that by entering into a plea agreement that he/she waives the right to have the Arizona Court of Appeals review the proceedings by way of a direct appeal, and may seek review only by filing a Petition for Post Conviction Relief, pursuant to Rule 32 within 90 days of entry of judgment and sentencing.

THE COURT FINDS that reasonable efforts have been made to give the victim notice of the plea proceeding and an opportunity to be heard.

Upon inquiry, the Court finds that the Defendant desires to forego the constitutional rights, that the plea of:

GUILTY is made knowingly, intelligently and voluntarily, not the result of force, threats or promises; that there is a factual basis for the plea; and that the Defendant understands the range of sentences and other penalties available.

The Defendant enters a plea of Guilty to the following crime(s):

OFFENSE: Attempt Child Molest, a class 3 felony and dangerous crime against children in the Second Degree, in violation of A.R.S. Sections 13-501, 13-1401, 13-1410, 13-3821, 13-1001, 31-281, 13-604.01, 13-702 and 13-801 committed on March 24, 2000.

The plea of the Defendant is accepted and entered of record.

IT IS ORDERED setting time for entry of judgment of guilt and sentencing on April 16, 2001 at 8:30 a.m. before Judge Gaylord.

IT IS FURTHER ORDERED that a presentence investigation and report be made and that the Defendant, if not in custody, shall immediately report to the Adult Probation Department.

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ISSUED: Request for Presentence Report (Green Slip).

IT IS FURTHER ORDERED that no further felony charges are to be filed arising from Mesa DR#20000840783 and DR#98-3440470 as reflected in the Plea Agreement, will be deemed submitted at the time of sentencing.

IT IS FURTHER ORDERED affirming prior release orders.

IT IS FURTHER ORDERED vacating any pending dates.

FILED: Plea Agreement.

11:15 a.m. Matter concludes.